

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52518 of 2018

Arising Out of PS.Case No. -207 Year- 2018 Thana -WARISLIGANJ District- NAWADA

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1. Karu Yadav, S/o Late Dahu Yadav.
 2. Alakhdeo Yadav, S/o Late Dahu Yadav.
 3. Bhaso Yadav, S/o Ramotar Yadav.
 4. Balram Yadav, S/o Shambhu Yadav.
 5. Suresh Yadav, S/o Sitaram Yadav. All are residents of Village - Kathokri, P.S. - Warsaliganj, District - Nawada.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sheo Kumar Prasad, Advocate.
For the Opposite Party : Smt. Meena Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 323, 307, 302 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 23.06.2018 at 10.15 A.M. the informant alongwith nephew Ranjit Kumar and brother Rambilash Yadav were going to Boring Machine for watering of *Mung* crops, when they reached near the *Sarswati Temple*, all of a sudden, accused persons including the petitioners came with *Gun, Katta, Lathi-Danda* started to assault them.



Accused Rano Yadav assaulted the informant's brother Ram Bilash Yadav on head resulting head gets cut. Seeing that, the informant and nephew started to flee away then accused Manohar Yadav Saroj Yadav, Preman Yadav and Ranjeet Yadav started to firing by *Gun* with intention to kill as a result, nephew of the informant, namely, Ranjit Kumar sustained injury and he died on spot and the informant also caused injury on head, left hand and left leg by firing. He sustained grievous injuries and he fell down on earth. On hulla, many people came there then accused persons fled away.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The allegation of assault on the deceased is alleged against co-accused Manohar Yadav, Saroj Yadav, Preman Yadav and Ranjit Yadav. As far as allegation of assault on the informant is concerned, it is alleged against the aforesaid four co-accused persons. Further co-accused Rano Yadav is alleged to have assaulted Ram Bilash Yadav. Altogether 23 persons are named in the F.I.R. The petitioners are said to be members of unlawful assembly. No injury has been attributed against them nor overt act has been alleged against them.



On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Nawada, in connection with Warisaliganj P.S. Case No. 207 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

